



Arizona State
Board of Cosmetology

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ARIZONA STATE BOARD OF COSMETOLOGY MEETING MINUTES

July 15, 2016 at 9:00 am

1721 East Broadway

Tempe, Arizona 85282-1611

ALL AGENDA ITEMS INCLUDE THE OPPORTUNITY FOR BOARD CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION

The Board may go into ~~Executive Session~~ for the purpose of obtaining legal advice from the Board's attorney on any of the agenda items pursuant to A.R.S. § 38.431.03 (A)(3).

The Board makes every attempt to hear all matters timely. However, due to the number of items scheduled on any particular agenda, the Board may find it necessary to hear some items out of order and/or later than the time originally scheduled.

PLEDGE OF ALLEGIANCE

CALL TO ORDER AND ROLL CALL

Gary Begley
Karla Clodfelter
Jessica M Stall-Rainbow - Absent
Melissa C Porter - Absent
Martha P Ramsey
Charlie C Phan
Thomas Rough

BOARD BUSINESS

1. Discussion, Consideration and Possible Action on Approval of Regular Board Minutes of June 17, 2016.

MOTION by Karla Clodfelter to approve minutes as written. MOTION
SECONDED by Martha Ramsey. MOTION CARRIED.

2. Declaration of Conflict of Interest.

None.

3. Discussion, Consideration & Possible Action on Proposed Rulemaking regarding Administering Licensing Exam in Languages in Addition to English.

- A.A.C. R4-10-108 (P) Licensing Examinations
- Opening Rule Docket

Executive Director Donna Aune stated our rules writer Jeanne Hann submitted the Certificate Notice of Proposed Rulemaking and the Oral Proceeding is scheduled for September 12, 2016, at noon.

4. Discussion, Consideration and Possible Action on Proposed Legislation for 2016 Legislative Session.

Indirect and Direct Supervision of Licensees Using Lasers

- A.R.S. §32-516 Aestheticians; Cosmetologists, Cosmetic Laser and IPL Device Use; Certification; Fees; Definitions

Executive Director Donna Aune stated the Health Committee will notify us of meeting.

5. Discussion, Consideration and Possible Action on Required Age at Time of Enrollment in Cosmetology Schools.

- A.R.S. § 32-510 Aestheticians; Applications; Qualifications
- A.R.S. § 32-511 Cosmetologists; Applications; Qualifications
- A.R.S. § 32-512 Nail Technicians; Applications; Qualifications
- A.R.S. § 32-531 Instructors; Applications; Qualifications
- A.R.S. § 32-532 Instructors Reciprocity
- A.A.C. R4-10-204 School Records

Assistant Attorney General Bridget Harrington presented the Board Members the age requirement differences between Licensure and Enrollment into Cosmetology School.

6. Discussion, Consideration and Possible Action on State of Arizona Executive Order 2016-05; State Government Units; Professional Lobbyist; Prohibition

Executive Director Donna Aune stated the Governor signed an Executive Order in late June, to cancel all contracts for lobbyists.

7. Discussion, Consideration and Possible Action on Invitation to Meeting between Non Health Boards and Department of Administration, July 28, 2016.

Executive Director Donna Aune stated the Department of Administration has invited Directors to the meeting, HB 2613, sec. 31, a study to transfer all non-health boards and occupational licenses to a new licensing and regulatory division.

8. Cosmetology Students on Field Trip.

- Questions and answers regarding Board authority and process

No students were in attendance.

EXECUTIVE DIRECTOR'S REPORT

1. Report and Discussion on Agency Departments.

- Financial
- Personnel, Board Membership and Appointments
 - ❖ Introduction of New Board Member Thomas Rough+
- Licensing
- Information Technology

Executive Director Donna Aune welcomed Thomas Rough our new Board Member, he is the owner of Taglio Salon and has been a salon owner for twenty years.

Executive Director Donna Aune stated that the examine department have been issuing licenses one month from application date and we are proud of that.

2. Summary of Current Events that Affect the Arizona State Board of Cosmetology

This is the time for the Chair or Executive Director to give a brief summary on current events that affect the Board. It is informational only and no discussion may occur.

CONSENT AGENDA

The Consent Agenda items may be considered for approval as a single action unless a Board Member or any other interested party wishes to remove the item for discussion.

The Board may vote to go into Executive Session to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information, or testimony that is confidential by State or Federal law on all agenda items under Steps 1, 2 & 3 pursuant to A.R.S. §38-431.03 (A) (2).

STEP 1: COMPLAINT REVIEW

A. Recommend Application Denials

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90807

Yen Kim Pham

(Deny & accept w/\$250 negotiation terms; working prior to licensure)

**MOTION by Karla Clodfelter to deny and accept with negotiation terms.
MOTION SECONDED by Martha Ramsey. MOTION CARRIED.**

B. Recommend Dismissals

MOTION by Karla Clodfelter to accept staff recommendations for all those listed below Step 1 B & C except 90422 under Step 1 B. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

90187	Empire Beauty School #CSL108 Empire Beauty School EEG, Inc. Franklin Schoeneman Paul Frinkelstein Anthony Bara Rachel Day, #90600051 Instructor in Charge	(No evidence to support allegations)
90266	Diva Lashes, Unlicensed Uliana Ivanova, Owner	(Refer to proper authorities)
90276	Salon No. 33 #SCOS23435 Karli Cordsen, #11101902, Owner	(No evidence to support allegations)
90291	Marie Vilkauskas, #31300733	(Customer satisfaction)
90331	Luster Nail and Spa, #SNT18220 Viaggo Vita LLC, Owner Alias A. Sigman, Member Glen D Park, Member	(No evidence to support allegations)
90353	A2Z Nails #SNT17034	(Closed / Ownership Change)
90387	Salon L.A.L.E #SCOS22263 Elaine Hernandez, #10401711, Co-Owner Lisa Hernandez, #10401706, Co-Owner Linda Garcia, #10401718, Co-Owner	(Customer satisfaction)
90422	Maricopa Skill Center Cosmetology Program, #CSL55 Maricopa County Community College District, Owner Gayla M Burnett, #90700051, Director Lisa Hemming, #90100009, Program Manager	(No evidence to support allegations)

MOTION by Karla Clodfelter to offer consent agreement of \$250.00 civil penalty and Board costs and to add Instructor Cecilia Moreno license no. 99400009. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

90428	R+R Massage and Chiropractic, UNLICENSED	(No evidence to support allegations)
90437/90438	Salon 103, #SCOS20387 Dorota Skin Care LLC, Owner Dorota Jakob, #39100009 & 59100008, Member/Manager Cary M Leibowitz, #19900235	(No evidence to support allegations)
90443	Anna Bennett, #50501281	(No evidence to support allegations)
90461	#2 Sunshine Nails & Spa SNT17372 Trish Thuy Ha Hoang Nguyen, Owner Holly H Ha #50000349, Manager	(No written response from Complainant - Double Jeopardy)
90492	Empire Beauty School #CSL108 Empire Beauty School EEG, Inc. Franklin Schoeneman Paul Frinkelstein Anthony Bara Rachel Day, #90600051 Instructor in Charge	(No evidence to support allegations)
90493	Epic Salon #SCOS17748 Peabo Management LLC, Owner Ryan Peart Manager/Member Rebecca Peart, Manager/Member	(Customer satisfaction)

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90501	Kati Borchet, Manager Tims Barber Shop #SCOS16480	(No evidence to support allegations)
90548	Timothy Murray, Owner Avalon School of Cosmetology EA Education Inc, Owner Brandon Pobiak, President Don Pobiak, Vice-President Clint Tryon, Director Jen Tarensky, Director Ryan Patrick Frisbie #90900080, Educational Director	(No evidence to support allegations)
90550	Century Nails #SNT17406 Son Thanh Duong #50400050, Co-Owner Kristina Nguyen #50400671 & 30600832	(No evidence to support allegations)
90553	Beauty Brands LLC #SCOS24280 Beauty Brands LLC, Owner Rich Bos, President Carol Cantres #19000801, Manager Alexandra An Dalton-Furcolowe #11400572, Licensee Morgan Bauler #11401602, Licensee	(No evidence to support allegations)
90558	All Beauty College #CSL170 All Beauty College LLC, Owner Gerald Guedon Member Raineet Guedon #90700012, Member	(No evidence to support allegations)
90562	Maggie Beauty Salon #SCOS26009 Magdalena L Gonzalez #11000129, Licensee/Owner	(No evidence to support allegations)
90571	Sunflower Nails #SNT17379 Anhloan Pham #50400881 & 30400494, Owner	(No evidence to support allegations)
90578	Arizona Academy of Beauty North Inc. #CSL143 Arizona Academy of Beauty North Inc., Owner Stewart L White, President/CEO Carey Ann White, Vice-President	(School location closed 5.26.2016)
90584	Hand and Stone Massage and Facial Spa Arrowhead #SCOS25364 New Touch Corporation, Owner Amarjeet Nagra, Director Darsho Singh, Director	(Found no evidence to support allegations)
90640	Eva Nails #SNT14874 Kim Loan Thi Huynh #59700618 & 30100444, Owner	(No evidence to support allegations)
90662/90663	Bella Nails & Spa by Henry #SAES19192 & SNT18153 Henry Le #51400207, Owner	(No evidence to support allegations)
90686	Custom Kreations LLC, Unlicensed	(Dismiss without prejudice)
90707/90708	Suite Nails #SNT16714 & SAES17148 Bang P Huynh #59818594, Owner	(No evidence to support allegations)

C. Recommend Letter of Concern**See above motion.**

90597	Olympus Beauty Academy #CSL00189 Olympus Inc., Owner Gerald D Johnson #97800591, President Mario Montoya #90500073, Director	(Changes to Catalogue or Hours of Operation)
90701	Great Clips #SCOS12181 SCOE II Inc, Owner William Jackson, President Belen Romero #10022123, Manager	(Delinquent personal license)

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90702	Eunice Hair Salon LLC #SCOS24868 Eunice Hair Salon LLC, Owner	(Delinquent establishment license)
90721	Arele H Romero #10600292, LLC Manager Supercuts #81371 #SCOS25080 PLPP LLC, Owner	(1/5 licensees with sanitation violation & delinquent establishment license)
90730	Harvinder Saini, Co-Member Sukhpreet Saini, Co-Member Primp #SCOS23881	(Delinquent personal license)
90747	Danielle M Molesky #10600156, Co-Owner/Manager Laura Caldarazzo #10501871, Co-Owner/Manager Hair P.H.D. #SCOS19856	(Delinquent personal license)
90763	Donna Richards, Owner Ha Vi H Phan #51100614, Former Owner A2Z Nails #SNT17034 (Closed)	(Continued to permit unlicensed operator to work during transition of ownership change)
90774	Elsewhere Hair Studio #SCOS25498 Nicole Avant #19500824, Owner/Manager	(Delinquent personal license)
90778	Ten Studio LLC #SCOS25554 Ten Studio LLC, Owner	(Delinquent personal license)
90783	Tracy L Woodburne #10602459, Member/Manager Headlines 2000 Hair Studio #SCOS17525 L2P2TS LLC, Owner	(Delinquent personal license)
90786	Laurie A Bustamante #19200999, President Paul D Bustamante, Vice-President Head First Hair Designs by Steve Pavon #SCOS3456	(Delinquent personal licenses & personal license display)
90787	Steven C Pavon #18600376, Owner/Manager Looks to Dye for #SCOS23800	(Delinquent personal license)
90788	Brittney Massengill #10600965, Owner Miracle Barbershop #SCOS24488	(Delinquent personal license)
90789	Michael Marconda, Owner Ladies Nails & Spa #SAES17622	(Delinquent establishment license)
90790	Khanh Q Bui #59900233, Owner Le Minh Nguyen #59600009 & 31000159, Manager Simply Ravishing-The Salon #SCOS20477	(Delinquent personal license)
90793	Simply Ravishing-The Salon LLC, Owner Tara Cote #50500244, Member/Manager Erik Cote, Member/Manager	
90794	Corporate Hairquarters #SCOS6843 Brown & Brown Designs Inc, Owner Dennis Brown #97800587, President/CEO Marsha Brown, Vice-President/Secretary	(Delinquent personal license)
90795	Bleach Black #SCOS24684 Britney Hatcher #10500476, Owner/Manager	(Delinquent personal license)
90796	Azteca Hair Designs #SCOS19595 Nancy Fran Duran #17617078, Owner/Manager	(Delinquent personal license)
90813	Lush Salon LLC #SCOS24877 Lush Salon LLC, Owner Mindy M Valdez #11400651, Member/Manager Philip J Valdez, Member/Manager	
	3 rd District Salon #SCOS24354 Christy Kuilowski, Owner	(Delinquent personal license)

D. Recommend Informal Interview or Negotiation Terms

MOTION by Karla Clodfelter to accept staff recommendations for all those listed below under Step 1. D. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

1. 90139/90140 Jen's Nails #SAES19013 & SNT18042
Bich Tuyet Tran, Owner
Dao T Phuong #511000105, Licensee
Offer a consent agreement to assess \$250.00 civil penalty and Board costs and to issue a Letter of Concern to Licensee Dao T. Phuong for working out of scope of practice, see motion above.
2. 90216 Lively Nails & Company Inc. #SNT16900
Lively Nails & Company Inc., Owner
Don T Phu #59600436, President
Hoanh H Tong, V-P
Offer a consent agreement to assess \$1,000.00 civil penalty and Board costs, see motion above.
3. 90249 Natural Look Now #SAES18958
Natural Look Now LLC, Owner
Regina D Picciuto #39921075 & 59300631, Member
Issue a Letter of Concern for teaching eyelash extensions to unlicensed individuals, see motion above.
4. 90281 Divine Nails & Spa SAES19069
Loi Tran #50800623, Owner
Khanh Thuy Nguyen #51500249, Licensee
Ngo Dang Tho Ho #30900712, Licensee
Offer a consent agreement to assess \$250.00 civil penalty and Board costs and to issue a Letter of Concern to Licensee Khanh Thuy Nguyen for working beyond scope of practice, see motion above.
5. 90292 & Debra's Skin Care & Bodyworks #SAES18907
Debra's Skin Care & Bodyworks Inc., Owner
Debra Stevens #30330813, President
90379 Tamera Heiner, Unlicensed
Issue a Letter of Concern for delinquent establishment and personal licenses, see motion above.
6. 90319 International Academy of Hair Design CSL00193
Olympus Inc., Owner
Gerald D Johnson #97800591, President
Mario Montoya #90500073, Director
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
7. 90405 Barbara J Denney #39400060 & 59100565, Owner
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
8. 90406 & Look Within Salon #SCOS24985
90823 Melissa Subia #11301905, Co-Owner
Oscar Subia, Co-Owner
Deanna Trejo #11001064, Licensee

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Offer a consent agreement to assess \$250.00 civil penalty and Board costs and proof of \$65.00 restitution, see motion above.

9. 90424/90425 US Nails Spa #SNT16831 & SAES17223
Holly Tran #50601019, Owner
Offer a consent agreement for Owner Holly Tran to attend the Infection Protection/Law Review class given by the Board, see motion above.
10. 90439 Julie Brandee Hollowell Cote #11402011
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
11. 90444 Hair City Salon #SCOS25780
Elizabeth Perez Rocha, Owner
Mirella E Cabrera #19812082, Licensee
Ashlin C Benitez #10800682, Licensee
Offer a consent agreement to assess \$2,000.00 civil penalty and Board costs, see motion above.
12. 90463 Distinctive Salon and Spa #SCOS24807
Ashley Hamilton #10600710, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs and for Owner Ashley Hamilton to attend the Infection Protection/Law Review class given by the Board, see motion above.
13. 90490 Lynn Nails & Spa LLC #SNT17288
Lynn Nails & Spa LLC, Owner
Huy Hoang Nguyen #50700269, Member
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
14. 90515 Tocaloma Spa & Salon #SCOS22784
11111 North 7th Street Property LLC, Owner
Michelle Mofford, Director of Spa
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
15. 90547 Comely Nails #SNT12522
Thanh Nhut Ngo #50000231, Co-Owner
My Trang T Tran #50000366, Co-Owner
Issue a Letter of Concern for licenses not posted, see motion above.
16. 90560 Tracy Lepak #10501793
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
17. 90567 Da-Vi Nails #1533 #SNT16317
Viet Hong Vo #50700166, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs and for Owner/Manager Viet Hong Vo to attend the Infection Protection/Law Review class given by the Board, see motion above.
18. 90572 Hai Treasures #SCOS25894
V & L Salons LLC, Owner
Elizabeth Rios, Member

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Victor Tanori, Member

Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.

19. 90585

Zolton #SCOS12233

Q Corp, Owner

Robert Quinn #19301501, President

Quinn Thompson, Manager

Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.

20. 90621

Sundrops Nails Sport #SNT15702

Sundrops and Polka Dots LLC, Owner

Stephanie Christenholz, Member

Kelly Marquez #50600348, Licensee

Offer a consent agreement to assess \$250.00 civil penalty and Board costs and proof of \$49.00 restitution, see motion above.

21. 90639

9 Pretty Nails & Spa SAES17136

9 Pretty Nails & Spa LLC, Owner

Ha T Nguyen #30800563, Member

Offer a consent agreement to assess \$750.00 civil penalty and Board costs, see motion above.

22. 90641

Polish Me Nail Boutique LLC #SNT18200

Polish Me Nail Boutique LLC, Owner

Sherlynn Cook Ceballos #59000303, Member

Pennisue Schnitzius #11600788, Licensee

Camille Abeyta #58201679 (Inactive)

Offer a consent agreement to assess \$1,000.00 civil penalty and Board costs, see motion above.

23. 90668

La Arizona Nails #SAES13051

Bruce Le #59900199, Owner

Karen Huynh #10000618, Licensee

Offer a consent agreement to assess \$250.00 civil penalty and Board costs and \$10.00 restitution, see motion above.

24. 90703

STV Nails & Spa #SNT18188

STV Nails & Spa LLC, Owner

Duc Thai, Member/Manager

Offer a consent agreement to assess \$500.00 civil penalty and Board costs and for Member/Manager Duc Thai to attend the Infection Protection/Law Review class given by the Board, see motion above.

25. 90704

Serenity Hair Design #SCOS19530

Serenity Hair Design LLC, Owner

Paul La Frenier, Co-Member

Maria R La Frenier #10200099, Co-Member

Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.

26. 90705/90706

Pamper Nails & Spa #SNT17677 & SAES18473

Pamper Nails & Spa LLC, Owner

Christine Thai, Member

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Issue a Letter of Concern for no first aid kit and no blood spill kit, see motion above.

27. 90720 Nail Studio 54 #SNT18117
Hung Gia Chau #51500281, Owner
Kim Bi Thi Ho #51500267 & 31500407, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
28. 90724/90725 Queen Creek Nails & Spa #SNT17579 & SAES18320
Anh Thi Phuong Tong #51200683 & 31300607, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
29. 90726/90727 Angel Touch Nails by Katie #SNT15935 & SAES16050
Katie Truong #50400694 & 30500478, President/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
30. 90728 Avalon School of Cosmetology #CSL168
EA Education Inc, Owner
Brandon Pobiak, President
Don Pobiak, Vice-President
Clint Tryon, Director
Sheli Miller #99000008, Instructor in Charge
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
31. 90762 A2Z Nails #SNT18361
Phuc Cong Tran #51400220, Owner
Offer a consent agreement to assess \$1,000.00 civil penalty and Board costs, see motion above.
32. 90679 & 90810 Maria Boccia #19700626, Manager
Joanna Boccia #115001195, Licensee
Xanadu Cre8tive Hair & Nail Design, Unlicensed
Offer a consent agreement to assess \$500.00 civil penalty and Board costs to Manager Maria Boccia and offer a consent agreement to assess \$50.00 civil penalty and Board costs to Licensee Joanna Boccia, see motion above.
33. 90729 Norterra Salon & Spa #SCOS20148
EMAI Corp, Owner
Elaine Q Mai #59600408, President
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
34. 90731 & 90732 Leslie M Gonzalez #10208190, Licensee
Michelle Cardell #10401334, Licensee
Offer a consent agreement to assess \$50.00 civil penalty and Board costs to Licensee Leslie M. Gonzalez and offer a consent agreement to assess \$750.00 civil penalty and Board costs to Licensee Michelle Cardell and to attend the Infection Protection/Law Review class given by the Board, see motion above.
35. 90746 Mario's Hair Co. #SCOS10474
Young Generation Corp Inc, Owner

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Angel Young #18327540, President
Atour Sayadian #19700714, Manager

Offer a consent agreement to assess \$500.00 civil penalty and Board costs and for Manager Atour Sayadian to attend the Infection Protection/Law Review class given by the Board, see motion above.

36. 90748 Bliss Nails & Spa #SNT17162
Tina Trang Nguyen #50200101, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
37. 90750/90751 Nails & Spa by Vanna Inc #SNT18383 & SAES19556
Nails & Spa by Vanna Inc, Owner
Vanna Tuyet Le #50300190, Director
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
38. 90772/90773 Regina Picciuto #59300631 & 39921075, Member/Manager
Offer a consent agreement to assess \$750.00 civil penalty and Board costs, see motion above.
39. 90775 Studio 4 Monique #SCOS26027
Monique H Sullivan #10200629, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs and for Owner/Manager Monique H. Sullivan to attend the Infection Protection/Law Review class given by the Board, see motion above.
40. 90776 Regency Beauty Institute #CSL76
Regency Corp, Owner
J. Hayes Batson, Director
Rachelle Minter #90013920, Instructor in Charge
Issue a Letter of Concern for chairs in disrepair, see motion above.
41. 90777 Queen Nail & Spa #SNT18357
Queen Nail & Spa LLC, Owner
Elaine Van #10501930, Member/LLC Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
42. 90779 Breanne Nock #Marable+ #10332283, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs and for Owner/Manager Breanne Nock #Marable+ to attend the Infection Protection/Law Review class given by the Board, see motion above.
43. 90780 Chopped Hair LLC #SCOS25713
Chopped Hair LLC, Owner
Chelci Crandell #10802027, Member/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
44. 90781 Twisted Strands LLC #SCOS25655
Twisted Strands LLC, Owner
Jodi N Bordes #10224959, Member/Manager
Issue a Letter of Concern for no first aid kit and no blood spill kit, see motion above.

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45. 90782 Tabitha Hennis #10500628, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs,
see motion above.
46. 90784 Spatique DS LLC #SCOS25058
Spatique DS LLC, Owner
Suzanne Clark Healy #51500128 & 31000556, Member/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs,
see motion above.
47. 90785 Tirzah Salon #SCOS17928
Tirzah Salon LLC, Owner
Janell Steele #10332227, Member/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs,
see motion above.
48. 90791 Crystal Blue Persuasions LLC #SCOS24526
Crystal Blue Persuasions LLC, Owner
Robin M Wagner #58800365, Member/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs,
see motion above.
49. 90792 Hairloom Studio Salon #SCOS24892
Angelique Guerrero #10225788, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs,
see motion above.
50. 90797 Chula #SCOS22511
Chula LLC, Owner
Debra K Malooly #10602354, Member/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs,
see motion above.
51. 90798 Bliss at 619 #SCOS22819
Flagstaff Roof Consultations LLC, Owner
Adam J Schmitz, Member/Manager
Gary Behmer, Member/Manager
Tamara K Robinson #10124552, Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs,
see motion above.

END OF CONSENT AGENDA

STEP 2: INFORMAL INTERVIEWS

A. Without Negotiation Options

NONE

B. With Negotiation Options

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1. 90403 Total E Clips Salon SCOS22718 10:00 a.m.
Melissa Gallozzi #10121637, Owner
Continued from June 8 Board Meeting
No Show; to formal hearing
2. 90488 Arizona Academy of Beauty North Inc., #CSL43 10:00 a.m.
Arizona Academy of Beauty North Inc., Owner
Stewart L White, President/C.E.O.
Carry Ann white, V-President
Continued from June 8 Board Meeting
CONTINUANCE GRANTED
3. 90293 Great Extensions, #SCOS25578 10:00 a.m.
Theresa Hale, #18600215, Owner
NEGOTIATED
4. 90343/90344 Villago Nails & Spa #SNT18170 & SAES19218 10:00 a.m.
Yi Dang #11201390, Co-Owner
NEGOTIATED
5. 90394 Herbal Nails & Spa 2 #SNT19095 10:00 a.m.
Herbal Nails & Spa 2 LLC, Owner
Jennifer Tran, Member/Manager
No Show; to formal hearing
6. 90418 Tonie Kehoe #51405029, Member 10:00 a.m.
Sole Partnership LLC #SNT17685 (closed)
Sole Partnership LLC, Owner
NEGOTIATED \$500
7. 90430 Baerbel Schmitz, #16910616 10:00 a.m.
NEGOTIATED \$500/1-YEAR PROBATION
8. 90434 #1 Nails Expert More, #SNT17409 10:00 a.m.
Anh Ngoc Nguyen #50200140, Owner/Manager
NEGOTIATED \$500/PAID
9. 90445 Maria Barber Shop & Salon #SCOS14802 10:00 a.m.
Maria Del Rosario Curiel #19700669, Owner/Manager

Maria Curiel was sworn in along with her husband Robert Curiel who stated that everything that happened is true. Robert Curiel stated that his wife's mother had gotten very sick and was out of state and she needed to leave. Robert Curiel stated we know what happened we know better and we have been in business for fifteen years. Investigator Barbaranne Morris testified that the office received a call from the Barber Board stating that an unlicensed Barber student was operating in the salon. Maria Curiel admitted the allegations, stated the individual no longer works in the salon and now is a licensed Barber

MOTION by Karla Clodfelter to move that for case no. 90445 all alleged violations cited in the Investigation Report have been shown. MOTION SECONDED by Charlie Phan. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

A.R.S. § 32-574 (A)(1)(5)&(4) Perform or attempt to perform cosmetology technology without a license in that category

A.R.S. § 32-574 (A)(9) Unlawful Acts; Violations; Classifications

STAFF REPORTED NO HISTORY

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MOTION by Karla Clodfelter to move that for case no. 90445 to impose the following discipline to maintain Consent Agreement terms previously offered to the licensee. MOTION SECONDED by Charlie Phan. MOTION CARRIED.

10. 90450 & Alexandra V Calvillo #51100545 **10:00 a.m.**
NEGOTIATED \$50/PAID

90739 Jermesha Latrice Williams #11002187

Jermesha Williams was sworn in and stated she had just walked in on the inspection and had not even worked there was there for an interview. Investigator Barbaranne Morris testified that the establishment was unlicensed, two licensees in the salon who stated they thought the salon was licensed and no salon application has been received in office.

MOTION by Karla Clodfelter to move that for case no. 90739 to dismiss due to insufficient evidence. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

11. 90451 Vista Queen Spa #SNT17530 **10:00 a.m.**
Kim Le #50400321, Owner
NEGOTIATED \$250/PAID

12. 90462 & Classy Cosmo #SCOS25315 **10:00 a.m.**
Lauren Olsen #58800395, Co-Owner
CONTINUANCE GRANTED
90740 Malaya Shapiro #11401384, Co-Owner
CONTINUANCE GRANTED

13. 90464 & Enjoi Nails & Salon LLC, #SNT18225 **10:00 a.m.**
Enjoi Nails & Salon LLC, Owner
NEGOTIATED \$250/\$25 RESTITUTION/PAID
90741 Evonne Ta #50000501, Member/Licensee
BOARD CLASS SCHEDULED 8.8.2016

14. 90508 Milly Beauty Salon #SCOS19850 **10:00 a.m.**
Amilania Garcia #10500411, Owner
NEGOTIATED \$500

15. 90545/90546 King Nails #SNT17097 & SAES17574 **10:00 a.m.**
Anh Tran #50700045 & 30700045, Owner
NEGOTIATED \$250

16. 90551 & Rex Hair & Nail #SCOS16937 **10:00 a.m.**
90742 Ann D Tran #10600123, Owner/Licensee

Ann Tran was sworn in and stated the pedicure appointment was at 12:30, she removed the polish and noticed the nail was unhealthy, dry with breakage and told customer you can leave polish on so long, you can go to the doctor and get medicine but if you keep putting polish on your nails they won't breathe and heal. Ann Tran told customer she needs to clean it out and if you want me to help you I will with herbal medicine, customer agreed and asked if there was any way you can help with her fingernails. Ann Tran stated she told customer don't put nail polish on and to put herbal medicine on twice a day. Ann Tran stated she did not cut the customer if I cut her why would she ask for a manicure, facial and buy merchandise. Ann Tran stated she paid \$115.00 for services and product and then stopped payment. Investigator Barbaranne Morris testified that the complainant Erika Sleger who was not present stated the owner told her she had a virus between the nail bed and nail whites and that the owner could fix it. Complainant stated to investigator that owner told her she should not see a doctor because the medicine is hard on the person's liver. Complainant stated to investigator that owner did cut her and drew blood and owner applied Yincare with a Q-tip and told her to apply the Yincare several times a day to prevent infection,

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complainant stated there was no first aid kit used. Complainant also stated to investigator that the owner hooked her up to a TENS massage unit and left the room complainant had to disconnected the unit herself because it became painful.

MOTION by Karla Clodfelter to move that for case no. 90551 & 90742 to dismiss due to lack of evidence. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

17. 90579 Sigma Cuts #SCOS25274 10:00 a.m.
World Media Entertainment Enterprises Inc., Owner
Willie Mitchell, Director/Manager
Bonnie Duran, CEO

Willie Mitchell was sworn in and stated he had no staff at the time, was revamping the salon to be a school and had no wet disinfectant due to no staff. Investigator Amber Moore testified that there was no disinfectant available at the time of the inspection.

MOTION by Karla Clodfelter to move that for case no. 90579 all alleged violations cited in the complaint summary have been shown. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

A.R.S. § 32-541 (B)/A.A.C. R4-112-(A)(4)(5)(6) Infection Control/Safety Standards

A.R.S. § 32-574 (A)(9) Unlawful Acts; Violations; Classifications

STAFF REPORTED NO HISTORY

MOTION by Karla Clodfelter to move that for case no. 90579 to impose the following discipline and to Board Order Director/Manager Willie Mitchell to attend the Infection Protection/Law Review class given by the Board within 60-days. The investigative findings on or about April 15, 2016, Board Inspector found no disinfectant available in the establishment at the time of the inspection which is a violation of statute A.R.S. § 32-541 (B)/A.A.C. R4-10-112 (A)(4)(5)(6). MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

18. 90580 Ultra Nails Spa #SNT15245 10:00 a.m.
Quan Xuan Ngo #59800222, Owner/Manager
NEGOTIATED \$500/PAID

19. 90581 Thy Nails S-Incorporation #SNT10668 10:00 a.m.
Thy Nails S-Incorporation, Owner
Ann Nguyen #19900080, President/Manager

Ann Nguyen was sworn in and stated that the inspector asked me one question how often you clean your filter and Ann Nguyen said every couple days and that's way she had a problem. Ann Nguyen stated she cleans the spa after every customer. Inspector Amber Bingham testified that the spas were not being disinfected properly, owner stated they were cleaning spas every couple of days and removing the filters every couple of days. Inspector did explain to owner that this needed to be done after each client.

MOTION by Martha Ramsey to move that for case no. 90581 all alleged violations cited in the complaint summary have been shown. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

A.R.S. § 32-541 (B)/A.A.C. R4-10-112 (J)(G) Infection Control/Safety Standards

A.R.S. § 32-574 (A)(9) Unlawful Acts; Violations; Classifications

STAFF REPORTED NO HISTORY

MOTION by Martha Ramsey to move that for case no. 90581 to impose the following discipline to maintain Consent Agreement terms previously offered to the licensee. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

20. 90594 Diva Nails & Spa of AZ #SNT17011 10:00 a.m.
Diva Nails & Spa of AZ LLC, Owner

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Nhieu V Nguyen #50200233, Member/LLC Manager
NEGOTIATED

21. 90595/90596 Sky Nails & Spa #~~q~~ SNT17915 & SAES18813 **10:00 a.m.**
Tony Oanh Nguyen #51300545, Owner/Manager
NEGOTIATED \$250

22. 90598 All Beauty College #CSL170 **10:00 a.m.**
All Beauty College LLC, Owner
Gerald Guedon, Member
Raineet Guedon, Member/Director
Amity C Huston #91300087, Instructor in Charge
NEGOTIATED \$500/PAID

23. 90601 All Beauty College #CSL178 **10:00 a.m.**
All Beauty College LLC, Owner
Gerard Guedon, Member/Manager
Rainette P Guedon #~~q~~ 90700012 & 19700557, Member/Manager
Brannon J Velau #91400027, Instructor in Charge
NEGOTIATED \$250/PAID

24. 90602 Charles of Italy Beauty College #CSL27 **10:00 a.m.**
Charles of Italy Beauty College of Massage Therapy LLC, Owner
Charles Bartolomeo #98200720, Co-Director
Lee Bartolomeo #98500009, Co-Director
Steve Colarusso #98600013, Instructor in Charge
NEGOTIATED \$350/PAID

25. 90607/90608 City Nails by Cindy #~~q~~ SNT16873 & SAES17277 **10:00 a.m.**
Dung T Nguyen #~~q~~ 50500064 & 30600378, Owner/Manager
NEGOTIATED \$250/PAID

26. 90613 Xiaohui Shang #11000768, Owner/Manager **10:00 a.m.**
NEGOTIATED \$50/BOARD CLASS SCHEDULED 8.22.2016/PAID

27. 90615/90616 9 Party Nails #~~q~~ SNT17717 & SAES18527 **10:00 a.m.**
Ngoc Phuong T Nguyen #51000038, Owner/Manager
NEGOTIATED \$250/PAID

28. 90626/90627 TN Nails of the World #~~q~~ SNT18022 & SAES18976 **10:00 a.m.**
Tan D Nguyen #11100162, Owner

No Show; to formal hearing

29. 90633 Michelle Schoenfeld #31000254, Owner/Manager **10:00 a.m.**

Michelle Schoenfeld was sworn in and stated she did not know she needed to reapply for a new license and took care of it right away. Inspector Amber Bingham testified that the business license for Skin Glo Studio indicated suite 17 and licensee was operating in suite 20 which is unlicensed and was unaware she needed to do a salon location change.

MOTION by Karla Clodfelter to move that for case no. 90633 all alleged violations cited in the complaint summary have been shown. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

A.R.S. § 32-574 (A)(5)(8) Unlicensed Establishment

A.R.S. § 32-545/A.A.C. R4-10-402 Salon Location Change

A.R.S. § 32-574 (A)(9) Unlawful Acts; Violations; Classifications

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STAFF REPORTED NO HISTORY

MOTION by Karla Clodfelter to move that for case no. 90633 to impose the following discipline and to Board Order Owner/Manager Michelle Schoenfeld to attend the Infection Protection/Law Review class given by the Board within 90-days. The investigative findings on or about April 27, 2016, Board Inspector found licensee operating an unlicensed establishment due to a suite change which are violations of statutes A.R.S. § 32-574 (A)(5)(8) and A.R.S. § 32-545/A.A.C. R4-10-402. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

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|-----|----------------------|---|-------------------|
| 30. | 90634 | Pamne s Nails #SNT16674
Dzung Lee Doan #59818847, Owner/Manager
NEGOTIATED \$250/PAID | 10:00 a.m. |
| 31. | 90636/90637 | Déjà Vu Nail Spa # s SNT17277 & SAES17844
Tueyt Mai T Connolly # s 10601395 & 59816936, Owner/Manager
NEGOTIATED \$250 | 10:00 a.m. |
| 32. | 90642 | Regal Nails #SNT15302
Y Van Le #50000632, Owner/Manager
NEGOTIATED \$250/PAID | 10:00 a.m. |
| 33. | 90645 &

90799 | Sweet Salon Hair Design #SCOS22779
Emas Investments LLC, Owner
NEGOTIATED \$500/PAID/
Michael T Sweet #19401451, Member/Manager
NEGOTIATED TO ATTEND BOARD CLASS
Everett Sweet, Member | 10:00 a.m. |
| 34. | 90650/90651 | My Nail Spa @ Marley Park Plaza # s SNT17967 & SAES18891
Quang Vinh Nguyen #50601174, Owner
Nhu Thi Quynh Pham #11301802, Manager
NEGOTIATED | 10:00 a.m. |
| 35. | 90654 | Empire Beauty School #CSL114
EEG Inc, Owner
Michael Bouman, President/Secretary
Jim Wunderle, Treasurer
Eric A Bakken, Director
Anthony Baron, Director
Franklin Schoeneman, Director
Sonia Williams #91100042, Instructor in Charge
NEGOTIATED \$50/PAID | 10:00 a.m. |
| 36. | 90655/90656 | Alice Nails & Spa # s SNT17505 & SAES18186
Thai ND Doan # s 51500240 & 31400286, Owner/Manager
NEGOTIATED | 10:00 a.m. |
| 37. | 90660 | Angela S Galan #10600027, Member/Manager

Angela Galan was sworn in and stated she did not know it was delinquent over three years, they were remodeling the salon so the license was not up and did not receive a letter. Inspector Amber Bingham testified that Licensee/Owner was operating under a closed establishment license and a licensee was working with a delinquent license.
MOTION by Karla Clodfelter to move that for case no. 90660 all alleged violations cited in the complaint summary have been shown. MOTION SECONDED by Charlie Phan. MOTION CARRIED. | 10:00 a.m. |

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SUBSTANTIATED VIOLATIONS

A.R.S. § 32-574 (A)(5)(8) Unlicensed Establishment

A.R.S. § 32-517/A.A.C. R4-10-107 (A) Delinquent Personal License

A.R.S. § 32-574 (A)(9) Unlawful Acts; Violations; Classifications

HISTORY

88285 (SCOS19531-closed) . 6/4/2014 . Letter of Concern . Delinquent Personal License/Current Personal License Display

MOTION by Karla Clodfelter to move that for case no. 90660 to impose the following discipline to maintain Consent Agreement terms previously offered to the licensee with one-year to pay fine. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

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|-----|-----------------------------|---|------------|
| 38. | 90682/90683 | Leah A Smith # 5 51300364/30800760, Owner/Manager | 10:00 a.m. |
| | | NEGOTIATED \$500 | |
| 39. | 90684 &
90744 &
90745 | Vista Nails #SNT16721
Lam T Tran #59900005, Owner
Xuan T Tran #50501428, Manager | 10:00 a.m. |
| | | NEGOTIATED | |
| 40. | 90743 | Denh Chieng #59921436, Owner/Manager
SCHEDULED TO ATTEND BOARD CLASS 7.25.2016
Famous Nails #SNT14564 | 10:00 a.m. |
| 41. | 90752 | Cassie M Le #10402214, Owner/Manager
NEGOTIATED TO ATTEND BOARD CLASS | 10:00 a.m. |
| | | Cici s Nails & Spa # s SNT18031 & SAES18998 | |
| 42. | 90753 | Cuc N Huynh # s 50100220 & 30100024, Pres/Mgr.
SCHEDULED TO ATTEND BOARD CLASS 7.11.2016
Valley Nails & Spa #SNT14862 | 10:00 a.m. |
| 43. | 90754 | Kenny D Nguyen #50700529, Owner
Passion Nails & Spa #SNT16384
SCHEDULED TO ATTEND BOARD CLASS 7.25.2016 | 10:00 a.m. |
| 44. | 90755/90756 | Ha T Phan # s 50700891 & 30700793, Owner/Mgr.
SCHEDULED TO ATTEND BOARD CLASS 8.26.2016
Alpha Nails & Spa # s SNT18063 & SAES19048 | 10:00 a.m. |

STEP 3: HEARINGS

**ALL ITEMS BELOW INCLUDE BOARD AUTHORITY FOR DISCUSSION,
CONSIDERATION AND POSSIBLE ACTION:**

The Board may go into ~~5~~ Executive Sessions+for the purpose of obtaining legal advice from the Board~~s~~ attorney on any of the agenda items under Step 3 pursuant to A.R.S. § 38.431.03 (A)(3).

The Board may vote to go into ~~Executive Session~~ to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information, or testimony that is confidential by State of Federal Law on all agenda items under Step 3 pursuant to A.R.S. §38-431.03 (A)(2).

A. Denial Appeals

None

B. Motion to Deem Allegations Admitted

89636 Erica Rodarte #30900816, Owner **9:45 a.m.**
Assistant Attorney General, Bridget Harrington, appeared representing the State.
Independent Advisor, John R. Tellier, was available by telephone. Licensee did not appear.

MOTION by Martha Ramsey to grant the State's MOTION TO DEEM ALLEGATIONS ADMITTED. MOTION SECONDED by Charlie Phan. MOTION CARRIED.

MOTION by Martha Ramsey to adopt the factual allegations in the Complaint and Notice of Hearing as Findings of Fact and the alleged violations in the Complaint and Notice of Hearing as Conclusions of Law. MOTION SECONDED by Charlie Phan. MOTION CARRIED.

MOTION by Martha Ramsey to issue an Order of discipline to revoke personal license no. 30900816 of licensee Erica Rodarte and to impose civil penalties and costs of \$500.00 and that the agency recovers its total costs incurred for this case in an amount to be determined later by the agency. MOTION SECONDED by Charlie Phan. MOTION CARRIED

C. Hearing Officer Recommendations

None

D. Request for Reinstatement

None

E. Appeal Board Orders

None

F. Discussion, Consideration and Possible Action on Revision of Proposed Consent Agreement Terms and Letter of Concern Cases.

None

STATUS AND ADDITIONS TO AGENDA

For Board Information Only:

ADJOURN

MOTION by Karla Clodfelter to adjourn the meeting at 11:15 a.m. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

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DRAFT